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Letter dated 13 June 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 12 June 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq, conveying Iraq's position with respect to the Saudi decision to expropriate the Iraqi crude-oil pipeline.

The Minister states that this decision by Saudi Arabia, taken to advance United States and British objectives, is nothing less than the unlawful confiscation of Iraqi assets whose ownership by Iraq is uncontested by means of a Saudi decision that engages the international responsibility of the Kingdom of Saudi Arabia because it constitutes illegal seizure of the assets of another State in breach of a bilateral agreement and the norms of international law. He further states that Iraq will pursue all means of legal redress in order to safeguard its assets and secure the compensation that this decision necessitates.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Al-Douri**
Ambassador
Permanent Representative

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Annex to the letter dated 13 June 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

With reference to the letter dated 4 June 2001 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General (S/2001/567), I should like to make the following points:

1. The decision by Saudi Arabia to expropriate the Iraqi crude-oil pipeline is nothing less than the unlawful confiscation of Iraqi assets whose ownership by Iraq is uncontested by means of a Saudi decision that engages the international responsibility of the Kingdom of Saudi Arabia because it constitutes illegal seizure of the assets of another State in breach of a bilateral agreement and the norms of international law.

The purpose of Iraq's letter dated 12 September 2000 (S/2000/869) was to affirm that the Saudi regime bears legal responsibility for the damage sustained by Iraq since 13 August 1990 and up to the present time as a result of Saudi Arabia's decision to halt exportation by way of the Iraqi pipeline passing through Saudi territory. This affirmation was required in the light of the persistence of the Saudi regime in damaging Iraq's interests. Iraq will continue to affirm this and will continue to stress the legal consequences to which it gives rise, while noting that the Saudi regime was not content to close down the pipeline and prevent Iraq from using it to export its oil but also appropriated the oil export quota assigned to Iraq by the Organization of the Petroleum Exporting Countries (OPEC) and channelled the oil onto the world market, exceeding its own OPEC quota. It is thus Saudi Arabia that has been the beneficiary of the maintenance of the comprehensive sanctions regime while many of the world's countries, including some adjacent to Iraq, have been damaged by their enforcement of the sanctions imposed on Iraq.

2. Paragraphs 16 and 18 of Security Council resolution 687 (1991), which the Saudi Government adduces in order to justify its decision, do not provide that decision with any legal support. The decision to expropriate the Iraqi crude-oil pipeline is therefore to be regarded as null and void under international law and the terms of the relevant Security Council resolutions, just as it would constitute a dangerous precedent in international relations.

3. The Saudi letter states that the reason for the decision of Saudi Arabia to seize the Iraqi crude-oil pipeline was that Iraq had "continued to make threats and proceeded to commit aggression, thereby causing serious damage to the Saudi people, in terms of lives and property". The Saudi regime, as it falsely claims that Iraq is continuing to threaten Saudi Arabia and to commit aggression against it, is in the best position to know that Iraq has not threatened Saudi Arabia and has not committed any acts of aggression against it. It is the opposite that is true, and every day dozens of United States warplanes leave their bases in Saudi Arabia to attack Iraq, together with the British aircraft that are based in Kuwait and also use Saudi airspace, and to destroy civilian installations and kill hundreds of civilians, most of them women and children, in flagrant violation of the Charter of the United Nations and international law. It seems that the Saudi regime has acquired a taste for the American game of distorting Iraq's image in order to justify the crimes being committed against the country.

4. It is useful to contemplate the timing of Saudi Arabia's announcement of its act of brigandage and its illegal seizure of exclusively Iraqi property. This timing reveals the inflammatory and provocative nature of Saudi policy towards Iraq, based as it is on contrived grounds. This policy seeks to create a situation of instability in the region and to fabricate and foment peripheral conflicts in order to advance the objectives of the United States and the United Kingdom, which strive tirelessly in the Security Council to impose further restrictions on Iraq. This alignment on the part of Saudi Arabia is confirmed by the timing of its letter, which is in response to one sent by Iraq exactly nine months ago. It is also confirmed by the fact that on 29 May 2001 Saudi Arabia addressed a letter to the Secretary-General and the President of the Security Council (S/2001/547) containing allegations that soldiers of the Iraqi Border Guard Force had been shooting and had entered Saudi territory, claims that Iraq refuted in their entirety in its letter dated 6 June 2001, similarly addressed to the Secretary-General and the President of the Security Council (S/2001/568).

In view of the serious loss caused by the Saudi decision, Iraq will pursue all means of legal redress in order to safeguard its assets and secure the compensation that this decision necessitates.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Tariq **Aziz**
Deputy Prime Minister
Acting Minister for Foreign Affairs